

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Development Services/Planning Division

AGENDA DATE: Introduction 2-21-06; Public Hearing 3-14-06

CONTACT PERSON/PHONE: Kimberly Forsyth, Zoning Administrator – 541-4631

DISTRICT(S) AFFECTED: City-wide

SUBJECT:

AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO MUNICIPAL CODE, BY AMENDING CHAPTER 20.08 (GENERAL DESIGN AND USE REGULATIONS), SECTION 20.08.060.A. (ANNEXATION), TO PROVIDE THAT PROPERTY ANNEXED INTO THE CITY'S CORPORATE LIMITS SHALL BE AUTOMATICALLY CLASSIFIED AS R-F (RANCH AND FARM) ZONING DISTRICT, UNLESS ACTED UPON BY THE CITY COUNCIL AT THE TIME OF ANNEXATION. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

BACKGROUND / DISCUSSION:

See attached information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

The Building and Zoning Advisory Committee (BZAC) recommended approval of this amendment to the Zoning Code on April 14, 2005. The Urban Land Institute, in their recent visit to El Paso, also recommended this change. The amendment has been scheduled for Development Coordinating Committee review on 2/22/06 and City Plan Commission review on 3/2/06.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

SECTION HEAD: George Sarmiento

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

GENERAL INFORMATION:

SUBJECT: An amendment to Title 20 to provide that in the future, newly annexed land is automatically classified R-F (Ranch-Farm). Currently the code provides that newly annexed land is automatically classified R-3 (Residential). This change will better protect outlying areas and open space and will allow City Council to review the appropriate zoning for each property as the owners present rezoning requests and specific plans for development.

Current language

A. All land which may hereafter be annexed to the city shall be automatically classified in the **R-3 (Residential)** district pending a public hearing by the plan commission on the appropriate zoning classification and action by the city council as provided in the case of amendment in Sections 20.04.340 through 20.04.380 and 20.04.400. Such public hearing shall be held within sixty days after the effective date of any such annexation and such action shall be taken by the city council within thirty days after the last adjournment of the public hearing.

Proposed language

A. Any property hereafter annexed to the Corporate Limits shall be given a zoning district designation. The City may jointly consider with the public hearings required for annexation, the appropriate zoning to be applied to the newly annexed parcels; provided, that the City complies with all procedures required for amendments pursuant to Chapter 20.04 (Administrative Provisions) of this Title. In the case of property annexed to the Corporate Limits without a specific City action designating zoning districts for the property, the property shall be automatically classified in the **R-F (Ranch and Farm)** zoning district until changed by amendment pursuant to Chapter 20.04 (Administrative Provisions) of this Title.

- The BZAC, on April 14, 2005, in the course of their review and proposed rewrite of Title 20, recommended this amendment.
- The Urban Land Institute, in their recent visit to El Paso, also recommended this revision.
- The amendment is scheduled for DCC review on Feb. 22, 2006 and CPC on March 2, 2006. Their recommendations will be forwarded.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING) OF THE EL PASO MUNICIPAL CODE, BY AMENDING CHAPTER 20.08 (GENERAL DESIGN AND USE REGULATIONS), SECTION 20.08.060A. (ANNEXATION), TO PROVIDE THAT PROPERTY ANNEXED INTO THE CITY'S CORPORATE LIMITS SHALL BE AUTOMATICALLY CLASSIFIED AS R-F (RANCH AND FARM) ZONING DISTRICT, UNLESS ACTED UPON BY THE CITY COUNCIL AT THE TIME OF ANNEXATION. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

WHEREAS, the zoning regulations of the City of El Paso have been established for the purpose of promoting the health, safety, morals and general welfare of its citizens; and,

WHEREAS, the proposed amendment will better protect outlying areas and open space and will allow the City Council to review the appropriate zoning for each property as the owners present rezoning requests and specific plans for development; and,

WHEREAS, the Development Coordinating Committee (DCC) and the City Plan Commission (CPC) have reviewed and recommended the adoption of the amendment as herein enumerated; and,

WHEREAS, the El Paso City Council finds that the proposed amendment as herein provided will allow for public input and comprehensive planning in the development of newly annexed areas, and have a positive impact upon the public health, safety, morals, and general welfare of the City, and is in conformance with the 2025 Comprehensive Plan for the City of El Paso.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Chapter 20.08 (General Design and Use Regulations), Section 20.08.060.A (Annexation) of the El Paso City Code is hereby deleted in its entirety and replaced with the following language:

A. Any property hereafter annexed to the corporate limits shall be zoned in accordance with state law and this Title. The City Council and City Plan Commission may jointly consider, recommend and act, designating the zoning classification for the proposed annexed parcels proposal, at the same time of the public hearings required for annexation; provided, that all procedures required for amendments pursuant to Chapter 20.04 (Administrative Provisions) of this Title and state law are complied with. If the property is annexed into the corporate limits without City Council action designating a zoning classification for the property, the property shall be automatically zoned as R-F (Ranch and Farm) zoning district, and the zoning map revised

accordingly, until changed by amendment pursuant to Chapter 20.04 (Administrative Provisions) of this Title.

Section 2. Except as herein amended, Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

APPROVED this _____ day of _____, 2006.

THE CITY OF EL PASO, TEXAS

ATTEST:

John Cook
Mayor

Richarda Duffy Momsen,
Municipal Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carolyn J. Crosby
Assistant City Attorney

Patricia D. Adauto, Deputy City Manager
Development and Infrastructure Services